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(Original Signature of Member)

112TH CONGRESS  
1ST SESSION

# H. R.

To prohibit firearms trafficking.

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## IN THE HOUSE OF REPRESENTATIVES

Mrs. MALONEY (for herself and Mr. CUMMINGS) introduced the following bill;  
which was referred to the Committee on \_\_\_\_\_

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# A BILL

To prohibit firearms trafficking.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop Gun Trafficking  
5 and Strengthen Law Enforcement Act of 2011”.

6 **SEC. 2. PROHIBITION ON FIREARMS TRAFFICKING.**

7 (a) IN GENERAL.—Chapter 44 of title 18, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

1 **“§ 932. Trafficking in firearms**

2 “(a) IN GENERAL.—It shall be unlawful for any per-  
3 son, regardless of whether anything of value is exchanged,  
4 to receive, or to transfer or otherwise dispose of to 1 or  
5 more individuals, 2 or more firearms that have been  
6 shipped or transported in interstate or foreign commerce,  
7 knowing or having reasonable cause to believe that such  
8 conduct will result in the disposing of 1 or more such fire-  
9 arms to an individual—

10 “(1) whose possession or receipt of the firearm  
11 would be unlawful; or

12 “(2) who intends to or will use, carry, possess,  
13 or dispose of the firearm unlawfully.

14 “(b) ORGANIZER.—It shall be unlawful for any per-  
15 son to knowingly direct, promote, or facilitate conduct that  
16 violates subsection (a).

17 “(c) CONSPIRACY.—It shall be unlawful for any per-  
18 son to conspire to violate subsection (a).

19 “(d) DEFINITIONS.—In subsection (a):

20 “(1) The term ‘individual whose possession or  
21 receipt of the firearm would be unlawful’ means an  
22 individual—

23 “(A) who is under indictment or has a  
24 prior conviction for a violent felony or a felony  
25 drug offense;

1           “(B) who at the time of the offense was  
2           under a criminal sentence, including on proba-  
3           tion, parole, supervised release, or work release,  
4           or in escape status;

5           “(C) whose possession of the firearm vio-  
6           lates or would violate section 922(x)(2); or

7           “(D) whose possession of the firearm vio-  
8           lates or would violate paragraph (2), (3), (4),  
9           (5), (8), or (9) of section 922(g).

10          “(2) The term ‘violent felony’ has the meaning  
11          given in section 924(e)(2)(B).

12          “(3) The term ‘felony drug offense’ has the  
13          meaning given in section 102(44) of the Controlled  
14          Substances Act, and includes a drug trafficking  
15          crime (as defined in section 924(e)).”.

16          (b) PENALTIES.—Section 924(a) of such title is  
17          amended by adding at the end the following:

18          “(8)(A) Whoever violates subsection (a) or (b) of sec-  
19          tion 932 shall be fined under this title, imprisoned not  
20          more than 20 years, or both, subject to subparagraph (B).

21          “(B) The term of imprisonment imposed on a person  
22          who violates section 932 in concert with 5 or more other  
23          persons with respect to whom the person occupies a posi-  
24          tion of organizer, a supervisory position, or any other posi-  
25          tion of management, shall be not more than 25 years.

1           “(C) Whoever violates section 932(c) shall be fined  
2 under this title, imprisoned not more than 10 years, or  
3 both.”.

4           (c) CLERICAL AMENDMENT.—The table of sections  
5 for such chapter is amended by adding at the end the fol-  
6 lowing:

          “932. Trafficking in firearms.